

Making CLE Seminars Meaningful

Is That Even Possible?



By Matthew D. Austin

Continuing Legal Education is both a benefit and bane of our profession. Depending on where you are in your career, you will likely have different opinions as to the benefit of CLEs.

Beginning practitioners consider CLEs a tremendous benefit, but for the wrong reason. Akin to an unexpected snow day when you were in school, CLEs are a day off from work. Newly minted lawyers review a handful of websites that offer CLEs, and eagerly await their daily mail for CLE advertisements (which, incidentally, is the only mail new lawyers receive) hoping to find just the right seminar that a supervisor will approve.

The seminar must be close enough to comply with the firm's travel policy. It must also be relevant enough so when you approach the approving supervisor you can say with a straight face why going to that seminar is worth the investment. The seminar must not cost too much, or at least you have to be mindful of your CLE budget if you have one.

After the administrative requirements are met, and the "free day" obtained, the young practitioner arrives at the CLE – usually with friends who have also coincidentally secured the day off from their offices – signs in, asks "when do I get to fill out that I attended this seminar," receives the written materials, heads to the free continental breakfast station, and picks a seat in the back of the room.

The actual CLE itself is oftentimes over the heads of new lawyers by citing cases and theories they do not know, using terms they have not learned, and delving a bit too deeply into legal theories for an attorney who spends his day doing document review or legal research in preparation of drafting a motion for summary judgment.

When this happens, new lawyers begin writing notes to each other on the paper provided at each chair or texting their friends

sitting two rows in front. At the end of the day, tired and bored, the young lawyer dutifully fills out the paper confirming his attendance and leaves with his not-yet (and probably not-ever) opened seminar materials.

But who does this benefit? Sure, you get a "day off" from work, but calling in sick would achieve the same purpose and you would avoid the boredom of a useless CLE. And let's face it, sitting at a CLE is not exactly the same as having a free day off from work. Making the most of each CLE you attend will pay off tremendously for you in the future.

First, only go to CLEs that will benefit your practice at your experience level. Just because you do litigation, do not go to a seminar about advanced deposition skills of cross-examining an expert witness if you have not ever taken a deposition or your deposition time is limited to defending depositions or taking the testimony of non-key witnesses. Stick to a more beginner level seminar where you'll learn just the nuts and bolts of depositions, like going on and off the record, using exhibits in depositions, the number of hours permitted for a deposition, if and when you can continue a deposition, and related topics.

Second, be sure you pay attention throughout the entire seminar. If that means going to a seminar by yourself, do it. Treat the CLE like an academic class and take notes throughout the entire presentation. Whatever you have to do to pay attention will greatly benefit you for the next step.

Third, prepare a written summary of the CLE. Someone else prepared the materials you received at the CLE, and you will likely not read the 150-page handout after the seminar. Use the notes you took during the seminar and turn them into something that will be useful to you in a few years. For a beginner's deposition CLE, your notes may include remembering to have the deponent sworn in, the ground rules of depositions, what to do if the other side objects, how to make a continuing objection, how to request

documents not previously provided to you, when should you get the judge on the phone, and the difference between all the different types of transcripts you can order. Having your own notes will be valuable the first few times you take a deposition, whether that is a few weeks or years after the CLE.

Last, personally discuss the CLE with the supervisor who approved your attendance. Let that supervisor know what you got out of the seminar, and show or her your summary. Ask if, based on her experience, there is anything missing from your summary and revise it accordingly. Your follow-up with her will not only impress her, but will likely facilitate you doing less document review and more deposition preparation, or even taking some minor depositions, yourself.

Do not worry. As you move into the next phase of your career, CLEs will become more meaningful to you. You will learn those terms and theories you do not understand now. You will know many more people in the room, and it will be a way of seeing old friends and networking with other attorneys. You will even realize that you, too, could give that seminar and validate that you are in fact becoming a "real lawyer."

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